

RICHARD D. EMERY
ANDREW G. CELLI, JR.
MATTHEW D. BRINCKERHOFF
JONATHAN S. ABADY
EARL S. WARD
ILANN M. MAAZEL
HAL R. LIEBERMAN
DANIEL J. KORNSTEIN
O. ANDREW F. WILSON
ELIZABETH S. SAYLOR
DEBRA L. GREENBERGER
ZOE SALZMAN
SAM SHAPIRO
ALISON FRICK
DAVID LEBOWITZ
HAYLEY HOROWITZ
DOUGLAS E. LIEB
ALANNA SMALL
JESSICA CLARKE
EMMA L. FREEMAN

EMERY CELLI BRINCKERHOFF & ABADY LLP

ATTORNEYS AT LAW
600 FIFTH AVENUE AT ROCKEFELLER CENTER
10TH FLOOR
NEW YORK, NEW YORK 10020

TELEPHONE
(212) 763-5000
FACSIMILE
(212) 763-5001
WEB ADDRESS
www.ecbalaw.com

CHARLES J. OGLETREE, JR.
DIANE L. HOUK

May 8, 2017

Via ECF

The Honorable Eric N. Vitaliano
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Washington et al. v. HUD et al., No. 16-CV-3948 (ENV) (SMG)

Your Honor:

This firm, along with co-counsel at MFY Legal Services, represents Plaintiffs in this action. We write in response to the *pro se* filing of Eduardo Vallejo (Dkt. #50).

Defendants have represented that Mr. Vallejo's mortgage is not insured by the Federal Housing Administration and was not sold to the Caliber Defendants through the U.S. Department of Housing and Urban Development's Note Sale Program. Mr. Vallejo does not appear to be a member of the putative class in this action. To the extent that his motion may be construed as a motion for permissive intervention, his claims do not appear to share common questions of law or fact with Plaintiffs' claims. See Fed. R. Civ. P. 24(b). As such, we are not aware of any basis to join Mr. Vallejo as a party to this action. If the Court would find further briefing helpful, we would be pleased to make any additional submissions the Court may direct.

Respectfully,
/s/
Douglas E. Lieb

c. All counsel of record (via ECF)
Eduardo Vallejo
508 North California Street
Burbank, CA 91505